

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

HORTON HOMES, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:07-cv-506-MEF
)	
LARUE BANDY, MARIE BANDY,)	
PATRICK PRITCHETT, WILLIAM)	
SHANER, ELSIE FONDREN)	
AVERETTE, WILLIAM CRUTHIRDS,)	
and SHERRIE CRUTHIRDS,)	
)	
Defendants.)	

DEFENDANTS' WITNESS LIST

COME NOW, your Defendants, in the above-styled cause and hereby lists the following as witnesses who may be called at trial:

1. Larue Bandy
329 Main Street
Hayneville, AL 36040
(334) 354-3754
2. Marie Bandy
329 Main Street
Hayneville, AL 36040
(334) 354-3754
3. Elsie Fondren Averette
33 Ashlee Drive
Post Office Box 334
Centreville, AL 35042
(205) 926-9724

4. Patrick Pritchett
Route 1, Box 126
543 Highlow Rd.
Fitzpatrick, AL 36029
(334) 584-7998
5. William Shaner
46 Defiance St.
Ticonderoga, NY 12883
(518) 585-3293
6. William Cruthirds
875 Lynch Lake Road
Odenville, AL 35120
(205) 405-6380
7. Sherrie Cruthirds
875 Lynch Lake Road
Odenville, AL 35120
(205) 405-6380
8. N. Dudley Horton, Jr.
101 Industrial Blvd.
Eatonton, GA 31024
(706) 485-2071
9. Steve Sinclair
101 Industrial Blvd.
Eatonton, GA 31024
(706) 485-2071
10. R. W. Hicks, Jr.
231 Rose Creek Road
Eatonton, GA
11. Joseph Briley
156 W. Clinton Street
Gray, GA 31032
(478) 986-5633
12. Martin L. Fierman
1244 Techwood Dr., NW
Atlanta, GA 30318
(404) 523-5835

13. William E. Barranco
3815 Interstate Court
Montgomery, AL 36109
(334) 271-2200
14. Robert Douglas
Whereabouts Unknown
15. Johnny Reese
Thomson, GA
16. Kay Douglas
Thomson, GA
17. Jimmy D. Plunkett
234 Main Street
Thomson, GA 30824
(706) 595-6175
18. Larry McCullough
1207 Florida Street
Prattville, AL 36067
(334) 361-3051
19. Jerry Teel
101 Veterans Parkway, Lot 190
Opelika, AL 36801
(334) 749-3576
20. Larry E. Dinkins
Georgia
21. Jim Strickland
Georgia
22. Russ D'Olimpio
2511 Midpark Road
Montgomery, AL 36109
23. Any witness deposed in this case
24. Any witness necessary for rebuttal
25. Any witness listed by the Plaintiff
26. Any witness necessary to authenticate any exhibits

27. Defendants reserve the right to use the deposition testimony of any witness deposed in this case.

Respectfully submitted this 20th day of August, 2008.

/s/ Frank H. Hawthorne, Jr.
FRANK H. HAWTHORNE, JR. (HAW012)
Attorney for Plaintiff

OF COUNSEL:
Hawthorne & Myers, L.L.C.
322 Alabama Street
Montgomery, AL 36104
334-269-5010

Michael S. Harper, Esquire
P. O. Box 780608
Tallahassee, AL 36078-0608
334-283-6855

CERTIFICATE OF SERVICE

I hereby certify that I have on this the 20th day of August, 2008, filed the above pleading/discovery electronically with the CM/ECF E-Filing System in Federal District Court. The below counsel will receive a copy from the system via email if registered in the system. If not, I certify that I have placed a copy of the same in the U.S. mail this day.

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Birmingham, AL 35203

James L. Paul, Esq.
Thomas C. Grant, Esq.
Chamberlin, Hrdlicka, White, Williams & Martin
191 Peachtree Street, N.E., 34th Floor
Atlanta, GA 30303

/s/ Frank H. Hawthorne, Jr.
OF COUNSEL